

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12583 of 2018

Arising Out of PS.Case No. -338 Year- 2017 Thana -NARPATGANJ District- ARRARIA

1. Siwan Uraon @ Siv Narain Uraon son of Ramji Uraon

2. Chano Devi wife of Siwan Uraon

Both resident of village-Fatehpur Dibia Tola, Police Station-
Narpatganj, District-Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Nand Kishore Pd

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 28-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Special Case No. 2310 of 2017 corresponding to Narpatganj P.S. Case No. 338 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Amendment Act, 2016.

The allegation is regarding recovery of 3 liters of illicit liquor from the house of the petitioners.

The learned counsel for the petitioners submits that no recovery has been made from the conscious possession of the petitioners. It is further submitted that the provisions of Section 100



Cr.P.C. has not been complied with while preparing the seizure list. The petitioners are said to be having a clean antecedent.

Considering the nature of accusation and the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Araria in connection with Special Case No. 2310 of 2017 corresponding to Narpatganj P.S. Case No. 338 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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